UNITED STATES PATENT AND TRADEMARK OFFICE

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20457 7590 03/23/2004		EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,7,11,13-15,19-21,25-31,35-44 and 47-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6, 7, 11, 13-15, 19-21, 25-31, 35-36, 39-44, 47-50* is/are rejected.

7)☒ Claim(s) *37 and 38* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____ .

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 11, 13-15, 19-21, 27-31, 35, 39-44 and 48-50 are rejected under 35

U.S.C. 102(b) as being anticipated by Kolling et al. (U.S. Patent 5,920,847) .

Claim 1:   Reference is made to FIG. 4 of Kolling et al. FIG. 4 discloses a single

remittance processing center (102) having a database (108) of payee information (database of

billers). The single remittance processing center (102) receives payment requests (124) from a

plurality of independent sources (Bank C) connected to the single remittance processing center.

Since a bank normally has a plurality of customers, each independent source (Bank C) can

transmit a set of requests rather than a single request. For example, all of the requests which are

transmitted during a single business day would correspond to a set of requests from a plurality of

payors (customers) directed to a plurality of payees (billers). All of the transactions within a

single hour or other time period could be similarly characterized as being a set of payment

requests.

The payment requests (124) are processed at the single remittance center (102) so as to

generate payment directions to the payee's bank (Bank B). The payment made to the payee's

bank can be done by electronic crediting. The electronic crediting occurs when the payee can be

identified by using the database of payee information (108).

Claim 2: As set forth above, the set of payment requests can be the set of payment

requests that are transmitted during a normal business day. Thus, a first set of payments would

have a first format (first transaction date) and a second set would have a second format (second transaction date). When payment requests pass through the remittance processing center (102), they are "normalized" in the sense they are changed to a format which includes payee data from the database (108).

Claim 3: The payment requests arrive at the remittance processing center (102) with a first format (first transaction date). The payment request may be "normalized" by adding data to the payment request, such as by adding payee information from the database (108) to the payment request so that the payment directions are addressed to Bank B in order to pay the payee.

Claim 4: Col. 15, lines 61-63 describe a batch file in which a single payor (consumer) may request multiple payments in a single payment request. This is readable as a batch file and can be sent in one of the payment sets.

Claim 6: The payment advice is the payment message sent from the remittance center (102) to the payee's bank (Bank B).

Claim 11: Each of the payees has one or more remittance centers, which are the payee's bank (Bank B). Each of the payment requests includes a payor account number with the first payee (the Biller reference number, "BRN" provided in the original bill to the payor, col. 15, line 47). As described in col. 17, lines 19-30, the BRN is a database key, and is used to look up a Bank ID or "BID" for the biller's bank. Thus, the alphanumeric characters (numbers) in the BRN are read by the remittance center (102) and selection is then made for a payee remittance center (The Biller's Bank B) by looking up the ID for Bank B in the database. Payments are then directed to the payee's remittance center (Biller's Bank B).

Claim 13: The processor at remittance center (102) stores programming instructions which cause the payment message to be altered by adding a payee bank ID (BID) to the account number data and identification data in the original payment message (col. 16, lines 43-53). The message is thus transformed by this addition. The transformed message includes a payor name (source of funds, col. 15, line 59) which existed in the original message before it was transformed.

Claim 14: The altered payment message is transmitted to the payee's bank. The payee's bank then forwards the payment information to payee's ledger (42).

Claim 15: Col 16, lines 29-35 describe the application of validation rules to the payment message.

Claim 19: See remarks for claim 1. Note that the input ports are the inputs to remittance center (102). The database is the database (108) and the processor and the processor is the computer system within the remittance center (102).

Claim 20: See remarks for claim 4.

Claim 21: See remarks for claim 3.

Claim 27: FIG. 4 of Kolling et al. discloses a payment service provider database (108). The database contains a listing of payees (billers) and their associated records (col. 17, lines 19-30). A payment service provider (network 102) is in communication with the database. The payment service provider receives payor payment requests (124) from each of a plurality of independent sources (Banks such as Bank C). The payment requests are for the purpose of transferring payments to the payees (to the biller B). The payment requests (124) are processed using the stored payee records (database 108) to produce payment instructions. Once the

payment instructions are received, payments directions are directed to the settlement bank (128) so as to direct payments in accordance with the settlement request (col. 18, line 59 through col. 19, line 8). The Bank B is the independent source processor that receives the payment instructions and generates payment directions.

Claim 28-30: See remarks for claim 11.

Claim 31: Col 16, lines 29-34 describe a set of validation rules used to validate payment messages. The validation rules can be used by either payor's bank (Bank C) or the remittance center (10). Thus, rules can be stored in a processor at either location. The validation rules check the payment message to assure that the payment message is valid. The processor at remittance center (102) then alters the payment message to include the ID of the payee's bank (col. 16, lines 48-60) in addition to the payee account number (BRN on the original payment message). The programming instructions which cause the alteration to the payment message are readable as the alteration rules. The altered account number has a payor name (the source of funds identified on the original payment message, col. 15, line 59).

Claim 35: See remarks for claim 1.

Claim 39: The remittance center (102) stores alteration rules, which are programmed instruction to modify the original payment message by adding a payee bank ID (BID) to the payment message by looking up the BID in the database (108). The payment message is thus transformed to include payment directions so as to direct payment to the payee's bank (Biller Bank B).

Claim 40: The payee (biller) has a plurality of remittance centers (the central remittance center 102 and the Biller's Bank B). The central remittance center (102) uses the database table

(102) to take a payor account number (BRN on the original payment message) and generate an

ID for payor remittance center (Biller's Bank B). The payment message then becomes a payment

direction to one of the payee's remittance centers (Biller's Bank B) to provide payment to the

payee (Biller B).

<u>Claim 41</u>: See remarks for claim 1.

<u>Claim 42</u>: See remarks for claim 2.

<u>Claim 43</u>: See remarks for claim 3.

<u>Claim 44</u>: See remarks for claim 4.

<u>Claim 48</u>: See remarks for claim 11.

<u>Claim 49</u>: See remarks for claim 31.

<u>Claim 50</u>: See remarks for claim 1. Note that the input port is the input to remittance

center (102). The database is the database in remittance center (102). The processor is the

computer system operating in the remittance center (102).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7, 25-26, 36 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kolling et al. (U.S. Patent 5,920,847).

<u>Claim 7</u>: Each payment message which leaves the payor's bank (Bank C) includes a

payor name (source of funds, col. 15, line 59).   The payment message is received by the

remittance center (102) and processed to locate an account number on the message (the BRN,

col. 15, line 58). Kolling et al. differs from claim 7 in that this BRN number is not explicitly

identified as having 11 digits. However, col. 15, lines 39-45 of Kolling et al. describe the BRN as

having "n-number" of digits, where each digit can range between 0-9. Although, Kolling et al.

does not specifically call out the usage of 11 digits for the BRN, forming the BRN with 11 digits

instead of 9 would have been obvious to one of ordinary skill in the art as a specific choice of

design, since Kolling et al. allows the BRN to be of any length. The BRN is used as the key to

access the database (108) and locate the payee's bank (Biller Bank B).

Claim 25-26, 36 and 47: See remarks for claim 7.

Claims 37-38 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

Remarks

Applicant's amendments have overcome the previous grounds of rejection under 35 USC

112.

With respect to claims 1, 19, 35, 41 and 50, applicant argues that Kolling et al. lacks the

step of having a selection made between electronic crediting and the generation of a check. This

argument has been considered but is not well taken. These claims do not state that the act of

selecting is an actual method step, but rather state that the electronic crediting or drafting are

optional choices within the claim. These claims do not appear to be calling for actual method

steps of selecting. In addition, they do not appear to define software structures that perform the

action of selecting.

Applicant's remaining arguments are primarily addressed to the new claims which have been drafted in independent form, namely claims 2, 6, 21, 27 and 42. Claims 2, 6, 21, and 42 are essentially independent versions of the previously exiting dependent claims. Applicant's arguments for these claims are that Kolling et al. lacks the disclosure of different formats for the payment requests. However, as previously asserted, Examiner maintains that the requests can have different formats in the form of different transaction dates. Claim 27 has been amended into independent form, but presents substantively different subject matter than the original version of claim 27. The discussion of new version of claim 27 is detailed in the present action and need not be repeated here.

Applicant further presents arguments with respect to claim 13, arguing that Kolling et al. fails to disclose the alteration of account numbers. Examiner maintains that the addition of a BID to account number data is effectively an alteration of account number data.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam   Rimell
Primary Examiner
Art Unit 2175